

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

PSN Illinois, LLC,)	
an Illinois Corporation)	
Plaintiff,)	
)	
v.)	Case No. 07-CV- 7190
)	
Abcam, Inc.; Abgent;)	
Affinity Bioreagents, Inc.;)	Judge William J. Hibbler
Exalpa Biologicals, Inc.;)	
DiscoverX Corporation;)	
Genetex, Inc.; LifeSpan)	Magistrate Judge Maria Valdez
Biosciences, Inc.; Multispan,)	
Inc.; and Novus Biologicals, Inc.,)	
Defendants.)	

**PSN ILLINOIS LLC'S MOTION TO REASSIGN CASE NO. 08-cv-3742
TO JUDGE WILLIAM J. HIBBLER PURSUANT TO L.R. 40.4**

PSN Illinois, LLC ("PSN") filed this lawsuit for patent infringement on December 21, 2007, asserting that nine defendants infringed its United States Patent Nos. 5,856,443 and 6,518,414, each entitled "Molecular Cloning And Expression of G-Protein Coupled Receptors" ("the PSN Patents"), and each invented by Dr. John MacLennan, a University of Cincinnati research professor. PSN has filed a second lawsuit (Exhibit A, Complaint, Case No. 08-cv-3742) against ten new defendant infringers of the PSN Patents, and the case has been assigned to Judge Rebecca R. Pallmeyer. PSN respectfully requests reassignment of Case No. 08-cv-3742 to Judge Hibbler because the cases are related and the conditions for reassignment are met.

I. THE CASES ARE RELATED UNDER L.R. 40.4(a)

Cases 07-cv-7190 and 08-cv-3742 are related within the meaning of L.R. 40.4(a) because the same issues of fact and law exist therein. The PSN Patents concern a class of G-protein coupled receptors (GPCRs) found on the outside of cells which affect cell function, and which respond to sphingosine-1 phosphate receptors, known as S1P2 receptors. PSN alleges that the use of these S1P2 receptors infringes the PSN Patents. S1P2 receptors are believed to play critical roles in cellular processes including those underlying cancer, vascular biology (e.g. relating to high blood pressure and strokes) and allergic responses (e.g., hay fever, etc.), and corresponding drug development requires use of the patented S1P2 receptor. The defendants in both cases have each made S1P2 receptors available to consumers without acknowledging PSN's Patents.

II. CONDITIONS FOR REASSIGNMENT ARE MET UNDER L.R. 40.4(b)

Cases 07-cv-7190 and 08-cv-3742 are related; and the conditions for reassignment under L.R. 40.4(b) are met. Both cases are pending in the Northern District of Illinois before Judge Hibbler and Judge Pallmeyer respectively. The handling of both cases by Judge Hibbler will result in a substantial saving of judicial time and effort as he is already familiar with the issues and facts of this case. The case before Judge Pallmeyer was filed July 1, 2008, and subpoenas have not yet been filed. Designating the second case, 08-cv-3742, as related will not delay the proceedings in the earlier case, 07-cv-7190, because those defendants have settled or are about to settle with PSN. Finally, the cases are susceptible of disposition in a single proceeding because they both involve the PSN patents.

III. CONCLUSION

Accordingly, for the reasons given above, Plaintiff PSN Illinois, LLC respectfully requests entry of its motion and proposed order (Exhibit B).

FOR PSN ILLINOIS, LLC

Date: July 7, 2008

s/Dana L. Drexler/
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